

TOWN OF DUNSTABLE DOG CONTROL BYLAW

Statement of Purpose: This by law is intended to guide those persons owning or keeping dogs in their role as responsible pet owners so as not to adversely affect the residents of the Town of Dunstable, and to provide for the due and proper disposition of the proceeds of fees and fines arising from the keeping and licensing of dogs.

Section 1. No person shall permit a dog owned or kept by him/her to be beyond the confines of the property of the owner or keeper unless the dog is under the control of such owner, keeper or his/her agent or is firmly held on a leash. Any dog kept within the confines of the town must be duly licensed and tagged as required by Massachusetts General Laws, Chapter 140, Sections 137-147 including amendments as enacted and approved by the Commonwealth. As used in this Section, the term 'control' shall include, but shall not be limited to oral or visual commands to which the dog is obedient. Nothing in this section shall be construed to limit the authority of the Selectmen to impose a more restrictive standard of restraint in connection with a particular matter properly before them under any applicable law, bylaw or regulation.

Section 2. Violation of this control provision of the bylaw shall be punishable by a fine of ten dollars (\$10.00) for the first offense, fifteen (\$15.00) for the second, twenty (\$20.00) for the third, and twenty-five dollars (\$25.00) for the fourth or subsequent offenses. Nothing in this Section shall be deemed to limit the authority of the enforcing authority to issue a warning in any instance.

Section 3. The enforcing authority hereunder shall be either the Dunstable Police Department, including any Police Officer in said Department, or the Dog Control Officer.

Section 4. The provisions of Massachusetts General Law Chapter 140, Sections 136A through 174D inclusive, as may be amended from time to time and insofar as applicable, including the definitions therein, are hereby incorporated by reference into this bylaw relating to the regulation of dogs, insofar as they may explain, clarify or supplement the provisions hereof.

Section 5.

(a) Any person or entity who fails to register and license his/her/its dog each year by the last day of February in the Town of Dunstable, Middlesex County, and pay the fees and charges under any and all applicable ordinances, bylaws or regulations adopted/observed by the Town of Dunstable will be required to pay to the Town a late fee, in the

amount of ten dollars (\$10.00). Any such person, etc, acquiring a dog, six months of age or older, after the last day of February in any year shall have thirty (30) days from the date of acquisition which shall be presumed to be the date on the rabies certificate, to register and license the dog or be subject to a late fee of \$10.00, which shall be payable to the Office of the Town Clerk.

(b) Failure to license and register a dog before May 1st annually shall result in a twenty-five dollar (\$25.00) fine, which shall be in addition to the late fee provided in Section 5. (a), above, and which shall be payable to the Office of the Town Clerk. On or after May 1st annually, those owners in violation of the licensing requirement of this bylaw, will receive a notice of the aforesaid fine. Those that do not pay the twenty five dollars (\$25.00) within twenty-one (21) days of such notice shall be subject to citation under the "Dunstable Non-Criminal Disposition ByLaw".

Section 6. All fees or fines collected under this bylaw shall be paid into the general fund, subject to the provisions of the Massachusetts General Laws, as amended.

Section 7. Any part, section or provision of this bylaw found to be invalid shall be severable and the remaining portions of this bylaw shall not be affected thereby. No provision or interpretation of a provision of this bylaw is intended to be in conflict with any provision of the Massachusetts General Laws, pertaining to dogs.

Section 8. This bylaw shall go into effect on the date of posting the Town Bulletin following the approval of the Attorney General.